



Paper No.

## Notice of Non-Compliant Amendment (Voluntary Revised Practice)

The amendment filed 5-1-03 under the voluntary revised amendment practice guidelines<sup>1</sup>, published in the Official Gazette on February 25, 2003 (*Amendments in a Revised Format Now Permitted*, 1267 Off. Gazette 106), does not fully comply with minimal requirements of the voluntary practice. In order for the amendment to be entered, it must either (1) comply with the guidelines of the voluntary revised amendment practice (which practice invokes waivers of certain 37 CFR 1.121(a)-(d) requirements) or (2) comply with current 37 CFR 1.121 requirements.

THE FOLLOWING ITEM(S) IN APPLICANT'S AMENDMENT CAUSES THE AMENDMENT TO BE NON-COMPLIANT WITH THE VOLUNTARY REVISED AMENDMENT PRACTICE.

- ☒ 1. A complete listing of all of the claims is not present in the amendment paper.
- ☐ 2. The listing of claims does not include the text of all claims currently under examination.
- ☒ 3. The claims of this amendment paper have not been presented in ascending numerical order.
- ☒ 4. Each claim has not been provided with a status identifier, and, as such, the individual status of each claim cannot be determined.
- ☐ 5. Other: \_\_\_\_\_

LIE: Check one of the following boxes:

- ☐ **PRELIMINARY AMENDMENT:** Applicant is given ONE MONTH from the mail date of this letter to re-submit the amendment in compliance with either the guidelines of the revised amendment practice or current 37 CFR 1.121. Failure to comply with either the current 37 CFR 1.121 practice or with the voluntary practice will result in non-entry of the amendment and examination on the merits will commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be a *bona fide* response, applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit an amendment which complies with either the voluntary practice guidelines or current 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

[ Signed by Team Leader ]

Team Leader

<sup>1</sup> For further explanation of the guidelines of the revised amendment format, please see the posted notice and sample amendment format at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officetlycr.pdf> and <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/formatrevamdtprae.pdf>

March 26, 2003

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I.

**FAX INFORMATION SHEET**

MAY 02 2003

**GROUP 1600****OFFICIAL**

Date: May 1, 2003

ID Number: 61297

Identifier: 126233.601

Recipient  
Company:

TC1600 (Examiner Christopher J. Nichols)  
USPTO

Recipient's General Number:  
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**RETURN FAX TO**  
**K. PUJOL**

Total Pages Including Cover:

16/17

Comments: Attached is a Amendment and Response to Office Action for Serial No.  
09/891,023.

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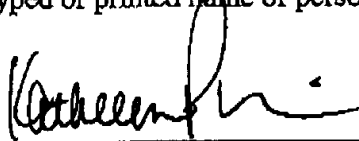
**CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. § 1.10**

SERIAL NO. 09/891,023  
TITLE: A PERIPHERAL MARKER OF BLOOD BRAIN BARRIER  
PERMEABILITY  
FILING DATE: June 25, 2001  
APPLICANT: Janigro, et al.  
ATTORNEY 126233.601  
DOCKET NO.  
DATE OF May 1, 2003  
FACSIMILE

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING SENT VIA FACSIMILE  
UNDER 37 C.F.R. § 1.6 AND 1.8 ON THE DATE INDICATED ABOVE AND IS  
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ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231.

Kathleen Pujo

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